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| 000FORM PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE<br>REV. 2/01T  |  | CUSTOMER NO. 22,852<br>ATTORNEY'S DOCKET NUMBER<br><br>05788.0360   |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A FILING UNDER 35 U.S.C. 371</b> |  | U.S. APPLICATION NO.<br>(If known, see 37 CFR 1.52)<br><b>10/536 807</b>  |
| INTERNATIONAL APPLICATION NO.<br><br>PCT/EP2002/013514  | INTERNATIONAL FILING DATE<br><br>November 29, 2002 | PRIORITY DATE CLAIMED   |
| TITLE OF INVENTION: <b>OPTICAL COMMUNICATION SYSTEM</b>   |  |   |
| APPLICANTS FOR DO/EO/US: 1) Lucia MARAZZI, 2) Mario MARTINELLI, 3) Andrea MELLONI, 4) Livio PARADISO, and 5) Paola PAROLARI         |  |   |
| Applicants herewith submit to the United States Designated/Elected Office (DO/EO/US) the following items and other information:     |  |   |
| 1.  | <input checked="" type="checkbox"/>                | This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.   |
| 2.  | <input type="checkbox"/>                           | This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.   |
| 3.  | <input type="checkbox"/>                           | This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. |
| 4.  | <input type="checkbox"/>                           | The US has been elected by the expiration of 19 months from the priority date (Article 31).   |
| 5.  | <input checked="" type="checkbox"/>                | A copy of the International Application as filed (35 U.S.C. 371 (c)(2)).  |
|   | a. <input checked="" type="checkbox"/>             | is attached hereto (required only if not communicated by the International Bureau).   |
|   | b. <input checked="" type="checkbox"/>             | has been communicated by the International Bureau.  |
|   | c. <input type="checkbox"/>                        | is not required, as the application was filed with the United States Receiving Office (RO/US).  |
| 6.  | <input type="checkbox"/>                           | An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).   |
|   | a. <input type="checkbox"/>                        | is attached hereto.   |
|   | b. <input type="checkbox"/>                        | has been previously submitted under 35 U.S.C. 154 (d)(4).   |
| 7.  | <input checked="" type="checkbox"/>                | Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)).  |
|   | a. <input type="checkbox"/>                        | are attached hereto (required only if not communicated by the International Bureau).  |
|   | b. <input type="checkbox"/>                        | have been communicated by the International Bureau.   |
|   | c. <input type="checkbox"/>                        | have not been made; however, the time limit for making such amendments has NOT expired.   |
|   | d. <input checked="" type="checkbox"/>             | have not been made and will not be made.  |
| 8.  | <input type="checkbox"/>                           | An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).  |
| 9.  | <input type="checkbox"/>                           | An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).   |
| 10.   | <input type="checkbox"/>                           | An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).                   |
| Items 11 to 20 below concern document(s) or information included:   |  |   |
| 11.   | <input checked="" type="checkbox"/>                | Information Disclosure Statement under 37 CFR 1.97 and 1.98   |
| 12.   | <input type="checkbox"/>                           | An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.   |
| 13.   | <input checked="" type="checkbox"/>                | A <b>FIRST</b> preliminary amendment.   |
| 14.   | <input type="checkbox"/>                           | A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.   |
| 15.   | <input type="checkbox"/>                           | A Substitute specification.   |
| 16.   | <input type="checkbox"/>                           | A change of power of attorney and/or address letter.  |
| 17.   | <input type="checkbox"/>                           | A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821-1.825.   |
| 18.   | <input type="checkbox"/>                           | A second copy of the published international application under 35 U.S.C. 154 (d)(4).  |
| 19.   | <input type="checkbox"/>                           | A second copy of the English language translation of the international application 35 U.S.C. 154 (d)(4).  |
| 20.   | <input checked="" type="checkbox"/>                | Other items or information:   |
|   | a. <input checked="" type="checkbox"/>             | Copy of cover page of International Publication No. <b>WO 2004/051893 A1</b> .  |
|   | b. <input type="checkbox"/>                        | Copy of Notification of Missing Requirements.   |

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| U.S. APPLICATION NO. (If known, see 37CFR 1.5)<br><b>10/536807</b>  |              | INTERNATIONAL APPLICATION NO.<br>PCT/EP2002/013514                         |           | ATTORNEY'S DOCKET NUMBER<br>05788.0360   |                 |
| 21. <input checked="" type="checkbox"/> The following fees are submitted:   |              |  |           | Applicant Use  | Office Use Only |
| BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):  |              |  |           | \$300.00   |                 |
| National Stage Search Fee.....\$500.00  |              |  |           | \$500.00   |                 |
| National Stage Examination Fee.....\$200.00   |              |  |           | \$200.00   |                 |
| ENTER APPROPRIATE BASIC FEE AMOUNT =  |              |  |           | \$1000.00  |                 |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.  |              |  |           |  |                 |
| Total Sheets  | Extra Sheets | Number of additional 50 or fraction thereof (rounded up to a whole number) | Rate      |  |                 |
| 36 - 100 =  | /50=         |  | x 250.00  | \$   |                 |
| Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492 (e)). <input type="checkbox"/> 20 <input type="checkbox"/> 30  |              |  |           | \$   |                 |
| CLAIMS  | NUMBER FILED | NUMBER EXTRA   | RATE      |  |                 |
| Total Claims  | 19           | - 20 =   | 0         | x \$50.00  | \$              |
| Independent Claims  | 2            | - 3 =  | 0         | x \$200.00   | \$              |
| <input checked="" type="checkbox"/> MULTIPLE DEPENDENT CLAIM(S) (if applicable)   |              |  | +\$360.00 | \$ 360.00  |                 |
| TOTAL OF THE ABOVE CALCULATIONS =   |              |  |           | \$1360.00  |                 |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.  |              |  |           | \$   |                 |
| SUBTOTAL =  |              |  |           | \$1360.00  |                 |
| Processing fee of \$130.00 for furnishing the English translation later than months from the earliest priority date (37 CFR 1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30  |              |  |           | \$   |                 |
| TOTAL NATIONAL FEE =  |              |  |           | \$1360.00  |                 |
| Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.  |              |  |           | \$   |                 |
| TOTAL FEES ENCLOSED =   |              |  |           | \$1360.00  |                 |
|   |              |  |           | Amount to be refunded:   | \$              |
|   |              |  |           | charged:   | \$              |
| <p>a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>1360.00</u> to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>06-0916</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. <b>Credit card information should not be included on this form.</b> Provide credit card information and authorization on PTO-2038.</p> |              |  |           |  |                 |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.  |              |  |           |  |                 |
| SEND ALL CORRESPONDENCE TO:   |              |  |           |  |                 |
| Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P.  |              |  |           |  |                 |
| 901 New York Avenue, NW   |              |  |           |  |                 |
| Washington, D.C. 20001-4413   |              |  |           |  |                 |
| EFC/FPD/sci   |              |  |           |  |                 |
| DATED: May 27, 2005   |              |  |           |  |                 |
|   |              |  |           | <br>SIGNATURE<br>Ernest F. Chapman/25,961<br>NAME/REGISTRATION NO. |                 |